

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : INFORMATION

- v. - : 11 Cr.

DAVID GRIFFITHS, :
----- xDefendant. :
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| DOCUMENT |
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11 CRIM 227COUNT ONE

(False Statements)

The United States Attorney charges:

1. From in or about December 2008, up to and including the present, in the Southern District of New York and elsewhere, DAVID GRIFFITHS, the defendant, in a matter within the jurisdiction of the executive and judicial branches of the Government of the United States, unlawfully, willfully, and knowingly, did falsify, conceal, and cover up by trick, scheme and device a material fact; make materially false, fictitious, and fraudulent statements and representations; and make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, in response to a Grand Jury subpoena, GRIFFITHS provided the FBI with documents that falsely represented that the Board of Directors of a not-for-profit corporation had authorized him to take payments from the corporation when, in truth and in fact, no such authorization had been obtained.

(Title 18, United States Code, Section 1001.)

COUNT TWO

(Obstruction of Justice)

The United States Attorney further charges:

2. From in or about December 2008, up to and including the present, in the Southern District of New York and elsewhere, DAVID GRIFFITHS, the defendant, unlawfully, willfully, knowingly, and corruptly, did obstruct, influence, and impede official proceedings and attempt to do so, to wit, in response to a Grand Jury subpoena, GRIFFITHS provided the Grand Jury with documents that he knew contained false and misleading statements and representations.

(Title 18, United States Code, Section 1512(c)(2).)

COUNT THREE

(Mail Fraud)

The United States Attorney further charges:

3. From on or about September 13, 2010, up to and including the present, in the Southern District of New York and elsewhere, DAVID GRIFFITHS, the defendant, unlawfully, willfully, and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, did place in post offices and authorized depositories for mail matter, matters and things to be sent and delivered by the Postal Service, and did deposit and cause to be

deposited matters and things to be sent and delivered by private and commercial interstate carriers, and did take and receive therefrom, such matters and things, and did cause to be delivered by mail and such carriers, according to the directions thereon, such matters and things, to wit, DAVID GRIFFITHS, the defendant, attempted to obtain money by means of materially false representations on a grantee questionnaire that he sent via U.S. Mail from an address in the Southern District of New York to a governmental entity.

(Title 18, United States Code, Sections 1341 and 2.)

FORFEITURE ALLEGATION

4. As a result of committing the offenses alleged in Counts One, Two, and Three of this Information, DAVID GRIFFITH, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses, including, but not limited to, a sum in United States currency representing the amount of proceeds obtained as a result of the offenses.

Substitute Assets Provision

5. If any of the above-described forfeitable

property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981 and Title 28, United States Code, Section 2461.)



PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(18 U.S.C. §§ 1001,
1512(c)(2), 1341 and 2.)

PREET BHARARA
United States Attorney.
